

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Deputy County Administrator

DATE: June 23, 2014

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. 2014-006
2. 2014-017

(3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Alleghany Springs
2. Mid-County

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Community Services Board
2. Parks and Recreation Commission
3. Planning Commission

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. DELEGATIONS

A. New River Valley Planning District Commission

Kevin Byrd, Executive Director, will provide an update on the NRVPC activities and provide an overview of the NRV Livability Initiative final reports.

VIII. PUBLIC ADDRESS

IX. ADDENDUM

X. CONSENT AGENDA

XI. OLD BUSINESS

**A. SUBJECT: SPECIAL USE PERMIT – VERIZON
TELECOMMUNICATIONS TOWER**

**ORD-FY-14-
ORDINANCE ALLOWING A SPECIAL USE PERMIT
FOR THE CITY OF RADFORD (AGENT: VERIZON WIRELESS) FOR THE
PURPOSE OF ALLOWING A 199 FT. MONOPOLE TELECOMMUNICATIONS
TOWER IN THE RINER MAGISTERIAL DISTRICT (DISTRICT D);
IDENTIFIED AS TAX PARCEL NUMBER 102-A 16, 17; ACCOUNT NO. 071097.**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the request by **the City of Radford (Agent: Verizon Wireless)** for a Special Use Permit (SUP) to allow a 199 ft. monopole telecommunications tower on approximately 100 acres in an Agricultural (A-1) zoning district is consistent with the County's Comprehensive Plan and is hereby **approved** with the following conditions:

1. Tower shall not exceed a total overall height of 199 ft. inclusive of the proposed lightening rod with a maximum ground elevation of 2,032.6 feet. Tower shall not have lighting unless required by the FAA. Tower pole shall have a base diameter not to exceed 8'-0" and a top diameter not to exceed 4'-6".
2. Site development shall be in substantial conformance with the concept plans entitled, "Peterson Drive, 5480 Peterson Drive, Radford, VA 24141", prepared by Clark-Nexen Architecture & Engineering, revised, January 10, 2014 and received by Montgomery County on February 7, 2014 and any site plan submitted by the applicant prior to construction and approved by the County as required by the County Code.
3. Verizon shall access the site using an existing private driveway off State Route F056 (Peterson Drive).

4. Verizon shall construct a 12 ft. wide gravel access road within a 20 ft. wide access easement to the proposed telecommunications tower site.
5. Tower shall be of a “monopole stealth design”. Tower shall be painted matte brown (Umbra). All wiring and cables shall be located inside the pole structure until there is no room left inside for the wiring and cables. If wiring and cables must be mounted on the outside of the pole structure, then the wiring shall be painted matte brown (Umbra).
6. Existing site vegetation shall not be cleared beyond the proposed lease area, except for that necessary for construction of an entrance road and utilities.
7. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to the issuance of a building permit.
8. Any satellite dish and microwave dish antennas attached to the telecommunications tower pole shall not exceed six (6) feet in diameter and shall be painted matte brown (umbra) with no logos, but dishes are allowed on the tower pole only as long as there is no fiber optic utility line located adjacent to the property.
9. A landscaping screen of a double row of evergreen trees, six ft. in height at the time of planting, shall be provided around the compound fence to provide screening of the ground equipment from any future development of the 100-acre site by the City of Radford.
10. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
11. Backup generator, if applicable, shall not be fueled by a liquid fuel source.
12. Owner/agent shall provide police, fire and rescue services antenna space on the proposed tower pursuant to a non-transferrable “no-rent” license agreement with the tower owner allowing non-commercial use for emergency communication services at the location for Condition 13 below subject to (i) submittal of an application, (ii) the structural capacity of the tower, and (iii) provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower, together with related ground space. Emergency Service providers shall provide equipment. Tower owner/agent shall install the antennae at market rate.

13. The second highest colocation space on the tower shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) business days notice by Certified Mail of the other cellular carrier's intent to occupy this location. If the Montgomery County Administrator does not respond within 14 business days of receipt of the notice with an application to occupy such space on the tower, the tower owner may lease such space to the other cellular carrier and, subsequently, the next highest colocation space on the tower shall be made available to the County. The forgoing process may repeat until the County elects to collocate on the tower.

The property is located at **5480 Peterson Drive** and is identified as Tax Parcel No. 102-A 16, 17 (Acct.# 071097) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

ISSUE/PURPOSE: Special Use Permit for a telecommunications tower.

JUSTIFICATION: Verizon Wireless requests a Special Use Permit to allow a 199 ft. monopole telecommunications tower. At their May 21, 2014 meeting, the Planning Commission (vote 6-1, Rice opposed) recommended approval of the request with conditions. See TAB **E** .

**B. SUBJECT: ATMOS ENERGY – EASEMENT ACROSS
CHRISTIANSBURG MIDDLE SCHOOL**

R-FY-14-

**A RESOLUTION APPROVING THE CONVEYANCE OF
AN EASEMENT TO ATMOS ENERGY CORPORATION IN ORDER TO ALLOW
ATMOS ENERGY TO PROVIDE GAS SERVICE OFF THE GAS LINE SERVING
CHRISTIANSBURG MIDDLE SCHOOL**

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey Atmos Energy Corporation an Easement pursuant to the terms and conditions approved by the Montgomery County School Board on the Christiansburg Middle School Campus as shown on the attached sketch entitled "PLAT OF GAS LINE EASEMENT RINER MAGISTERIAL DISTRICT TOWN OF CHRISTIANSBURG, MONTGOMERY COUNTY, VIRGINIA" dated 08 APR 14 in order to allow Atmos Energy Corporation provide gas service to the adjoining neighborhood off the gas line located on the Christiansburg Middle School Campus.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes William H. Brown, Chair, to execute the Easement on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Approve the conveyance of an easement to Atmos Energy Corporation on the Christiansburg Middle School campus.

JUSTIFICATION: Atmos Energy Corporation has requested a 15' wide easement for a gas line along a portion of the edge of the Christiansburg Middle School property. Atmos needs to install a gas line to serve the Wynwood Estates Development being built just north of the CMS campus. At their May 6, 2014 meeting, the School Board recommended approval of the conveyance of an easement with six conditions. See TAB F for a copy of the School Board's conditions and a copy of the Easement.

XII. NEW BUSINESS

A. SUBJECT: APPROPRIATION OF THE FY 15 BUDGET

A-FY-15- RESOLUTION OF APPROPRIATION FY 2014-2015 BUDGET

See TAB G for a copy of the FY 2014-2015 Budget Appropriation.

ISSUE/PURPOSE: Appropriate the FY 2014-2015 budget. TAB G also includes a copy of the School Board's FY 2015 Budget appropriation letter, which states that the decrease in several fringe benefit rates will result in savings that will offset the loss of \$66,107 in state revenue.

B. SUBJECT: FALLING BRANCH PARK AND RIDE LOT

**R-FY-14-
RESOLUTION RECOMMENDING RELOCATION
OF VDOT'S PARK AND RIDE LOT AT I-81 EXIT 118A
ADJOINING FALLING BRANCH ELEMENTARY SCHOOL
TO ROANOKE STREET ADJOINING THE US 460 BYPASS**

WHEREAS, The Board of Supervisors of Montgomery County, Virginia has studied the need to relocate the Virginia Department of Transportation (VDOT) Park and Ride lot adjoining the Falling Branch Elementary School property at I-81 Exit 118A in Montgomery County and has determined that it is appropriate that the Park and Ride lot be relocated; and

WHEREAS, VDOT has proposed to relocate the Park and Ride lot to property on Roanoke Street adjoining the US 460 Bypass (Tax Parcels 529-(2) – 2-9 and 73-80; Parcel ID 020750 and Tax Parcels 529-(2)-B, 1A, 81; Parcel ID 013265) in Christiansburg; and

WHEREAS, The Board of Supervisors of Montgomery County has found that the public necessity, convenience, and general welfare permit the relocation of the Park and Ride lot to Roanoke Street adjoining the US 460 Bypass.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County recommends the relocation of the Park and Ride lot at I-81 Exit 118A adjoining the Falling Branch Elementary School property to Roanoke Street adjoining the US 460 Bypass.

ISSUE/PURPOSE: Adopt resolution recommending the relocation of the Park and Ride lot at I-81 Exit 118A to Roanoke Street, adjoining the US 460 bypass.

JUSTIFICATION: The County Administrator, Christiansburg Town Manager, and the MPO Director met with VDOT representatives on May 27, 2014 and discussed potential locations along Roanoke Street identifying key characteristics which led to a consensus that the preferred site is the RWW36, LLC and W. Clinton Graves Estate (Parcel ID 020750 and Parcel ID 013265). See TAB H for a copy of VDOT's letter requesting resolutions of support for the preferred location for the Park and Ride lot. Christiansburg Town Council has adopted a similar resolution.

C. **SUBJECT: SHAWSVILLE VOLUNTEER RESCUE
SQUAD – RESOLUTION OF RECOGNITION**

**R-FY-14-
SHAWSVILLE VOLUNTEER RESCUE SQUAD
50TH ANNIVERSARY**

WHEREAS, On July 4, 1964 a group of local citizens called a meeting to discuss the need for a volunteer rescue squad in their community and formed the Alleghany District Rescue Squad, which later changed to the *Shawsville Volunteer Rescue Squad*; and

WHEREAS, The *Shawsville Rescue Squad* currently has 31 volunteer members and serves 88 square miles of Montgomery County; and

WHEREAS, On July 4, 2014, the *Shawsville Rescue Squad* will celebrate its 50th Anniversary; and

WHEREAS, Fifty years of service has been given by the dedicated men and women who offer their time and talents on a volunteer basis to aid their fellow citizens of Montgomery County in emergency situations; and

WHEREAS, The citizens of our community benefit from the knowledge, skills, and dedication of these volunteer rescue squad members, where they can at any time, be called on to sacrifice their lives in the performance of their lifesaving duties.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby commend and congratulate the *Shawsville Rescue Squad* upon reaching its 50th Anniversary.

BE IT FURTHER RESOLVED, The Board of Supervisors, on behalf of the citizens of Montgomery County, expresses its gratitude and appreciation to the volunteers of the *Shawsville Rescue Squad* for their outstanding public service and dedication to the citizens of Montgomery County.

ISSUE/PURPOSE: Recognize the Shawsville Volunteer Rescue Squad on its 50th Anniversary.

XIII. COUNTY ATTORNEY'S REPORT

XIV. COUNTY ADMINISTRATOR'S REPORT

XV. BOARD MEMBERS' REPORT

1. Supervisor King
2. Supervisor Creed
3. Supervisor Perkins
4. Supervisor Biggs
5. Supervisor Tuck
6. Supervisor Gabriele
7. Supervisor Brown

XVI. OTHER BUSINESS

XVII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, July 14, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, July 28, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting